

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| THE MUSEUM OF MODERN ART, and THE | : |
| SOLOMON R. GUGGENHEIM FOUNDATION, | : |
| Plaintiffs, | : |
| BOY LEADING A HORSE, and LE MOULIN DE | : |
| LA GALETTE, Two Paintings by Pablo Picasso, | : |
| Plaintiffs-in-rem, | : |
| - against - | : |
| JULIUS H. SCHOEPS, | : |
| Defendant. | : |

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I, Andrew M. Scott, an attorney admitted to practice in the State of New York and the Assistant Managing Attorney of the firm of Cleary Gottlieb Steen & Hamilton LLP, hereby certify that:

1. On the 25th day of February 2008, the Declaration of Evan A. Davis dated February 25, 2008 with Exhibits 1 through 20 and the Memorandum of Law in Opposition to Defendant Julius H. Schoeps' Motion to Dismiss the Complaint for Declaratory Relief were served by Federal Express upon:

John J. Byrne, Esq.
Byrne Goldenberg & Hamilton PLLC
1025 Connecticut Avenue NW
Suite 1012
Washington, DC 20036

2. This service was made by an assistant managing clerk of this firm under my general supervision.

Dated: New York, New York
February 25, 2008

/s/Andrew M. Scott

Andrew M. Scott